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C O N F I D E N T I A L SECTION 01 OF 02 OSLO 000679

SIPDIS

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SUBJECT: NORWAY GENERALLY RECEPTIVE TO U.S. REDLINES FOR
GOLDSTONE UNGA RESOLUTION

REF: STATE 112828

Classified By: Political and Economic Counselor Cherrie S. Daniels for
reasons 1.4(b) and (d)

11. (C) Summary: Polcouns delivered reftel points to Jorn Gjelstad, head of the Middle East Section of the Norwegian Ministry of Foreign Affairs (MFA) on November 3. Gjelstad commented favorably on our position opposing the various unacceptable elements currently under discussion for inclusion in a Goldstone resolution set to be debated in the UN General Assembly (UNGA) on November 4. Gjelstad said there would be a meeting in the MFA, on the morning of the 4th, to develop Norway's position on the resolution, after which the Norwegian delegation in New York would be instructed. The general sense we got from Gjelstad was that many of our redline issues matched his personal sense of what Norway also would find objectionable, although he framed his opposition to them mostly in procedural terms. Due to the November 4 GON meeting at which various MFA stakeholders would be consulted (some of whom "have strong normative views", he said), Gjelstad's comments may not perfectly reflect the tone that the Norwegians eventually decide to take in New York. Gjelstad asked specifically whether the U.S. believed that Israel was conducting credible domestic investigations into wrongdoings by their side. The question indicates both that the Norwegians are not sure about this, and that anything we can do to assure them of this point in New York would help bring their delegation's position even closer into line with ours. End Summary.

12. (C) Gjelstad was accompanied by Ms. Signe Guro Gilen, the MFA's Ad Hoc Liaison Committee coordinator, while PolEconCouns was accompanied by poleconoff as notetaker. Gjelstad told us Norway was likely to be with us in opposing many if not all of the unacceptable elements we catalogued. For example:

--On the issue of UNGA attempting to direct the Security Council to take up the matter, Gjelstad said that the UN Secretary General (UNSYG) has the mandate to do this, and it was improper, from a procedural standpoint, for UNGA to attempt it.

--On the issue of setting time limits for Israeli or Palestinian domestic investigations, Gjelstad said determining whether and when domestic investigations had been given enough time was also up to UNSYG, not the UNGA. Having the UNGA address such issues would "complicate the process," in Gjelstad's view.

--On the issue of potential show trials in other countries if other national courts receive jurisdiction, Gjelstad agreed

it would be an unfortunate and unproductive outcome if such language were included in a resolution.

--On the issues regarding UNGA recommending the establishment of an International Tribunal, encouraging the Security Council to refer allegations in the report to the International Criminal Court, and referring the matter to the International Court of Justice, Gjelstad said he was in "total agreement" with us; these were issues that Norway does not believe UNGA should focus on, but are rather fall clearly in the UNSYG and or UNSC's purview.

13. (C) Speaking more generally after we delivered our points, Gjelstad said the USG's points "generally are in convergence" with many of the elements in Norway's own position. He said "nobody has an interest in strong politicization of this issue," and Norway was not happy with the way the issue had finally played out in a politicized way in the UN Human Rights Council (HRC) in mid-October. He pointed out that the whole process has been very damaging to the Palestinians, and to PA President Abbas in particular. The pressure on Abbas from the Palestinian and Arab street after the PA delegation's initial pragmatic approach in Geneva quickly led, Gjelstad said, to an unhelpful reversion to the "usual rushed and politicized" nature of the debate on such issues.

14. (C) Gjelstad reported that an MFA coordination meeting was planned for the morning of November 4 Oslo time. He could not, therefore, confirm whether and under what conditions Norway would abstain or vote against an overall resolution. He did indicate that Norway's delegation would coordinate

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closely with the U.S. delegation to help us work for a productive outcome in New York that met our and their redlines. He also undertook to share all of the USG's points with those in GON working the issue. "You are aware," he told us in confidence, "that many people (in the GON) have certain normative views. The USG's policy perspective is also something that should be factored in." In response to our emphasis on the importance of supporting credible domestic investigation processes, Gjelstad and Gilen gingerly questioned whether the United States really believes the Israelis are seriously and credibly investigating wrongdoing by their forces. Using Ref points, we assured them that Israel is indeed doing so. It was apparent to us from this question that anything State or USUN can do to elaborate on, and emphasize the credibility of, ongoing Israeli investigations during tomorrow's UNGA session will help convince the Norwegian delegation even further that the various referral/jurisdiction options being considered are not just technically and legally inappropriate, but entirely unwarranted.

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